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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

September 15, 2005

The Honorable Alberto R. Gonzales  
Attorney General  
RFK Building  
Room 5111  
10 & Constitution Ave NW  
Washington, D.C. 20528

Dear Attorney General Gonzales:

I am writing regarding DOJ's compliance with Public Law No. 107-300, the Improper Payments Information Act of 2002 (IPIA). Section 2(a) of the IPIA requires the head of each agency to identify programs and activities that are susceptible to significant improper payments. Section 2(b) requires the head of each agency to estimate the annual number of improper payments, and submit those estimates to Congress.

Page 8 of GAO's report, *Meeting Challenges and Requirements in Meeting the Improper Payments Information Act of 2002* (GAO-05-417) revealed that DOJ's Independent Auditor, KPMG, reported DOJ's risk assessment did not consider all payment types or programs.

Page I-15 of DOJ's Performance and Accountability Report reads: "Based on department-wide risk assessments comprised of Independent Audit Reports, Internal Control Reviews, Inspector General Reviews, and Recovery Audit Activities, the DOJ has determined there are no significant risk programs in which improper payments exceed both 2.5% of program payments and \$10 million."

However, on page 2 of their *Independent Accountant's Report on Compliance and Other Matters*, KPMG stated: "The OJP's risk assessment of improper payments did not include the Southwest Border Prosecution Initiative, Bulletproof Vest Partnership, State Criminal Alien Assistance Program, and non-grant disbursements."

I would like to request the following information to review DOJ's compliance with the Improper Payments Information Act of 2002: 1) risk assessments of all programs and activities; 2) estimates of the annual number of improper payments; and 3) a detailed description of how DOJ came to conclude that all programs and activities were not at risk for making significant improper payments in fiscal year 2004.

Please provide and return the requested information to:

Liz Scranton, Chief Clerk  
Subcommittee on Federal Financial Management, Government Information, and  
International Security  
Committee on Homeland Security and Governmental Affairs  
439 Hart Senate Office Building  
Washington, DC 20510

The Subcommittee would appreciate receiving this information by September 30, 2005.  
If you have any questions, please contact Robin Landauer at (202) 224-2254.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Coburn", with a stylized flourish at the end.

Tom Coburn  
Chairman  
Subcommittee on Federal Financial  
Management, Government  
Information, and International  
Security